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VIVIANI, MARIA VIVIANI and SALLY GRIES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SONOMA FOODS, INC., a California  
corporation,

Plaintiff,

v.

SONOMA CHEESE FACTORY, LLC, a  
California limited liability company and  
DOES 1 THROUGH 50, inclusive,

Defendants.

CASE NO. 3:07-CV-00554 JSW

**STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE THE CASE  
MANAGEMENT CONFERENCE**

The parties, through their respective counsel, hereby stipulate and request the Court for an  
Order to continue the Case Management Conference scheduled for Friday, July 11, 2008 at  
1:30 p.m., for good cause as set forth below:

WHEREAS the parties attended a settlement conference with Magistrate Judge Wayne D.  
Brazil on May 8, 2008;

WHEREAS the parties reached a settlement at that conference that was placed on the record;

WHEREAS the parties agreed, but for one issue, to a written settlement agreement;

WHEREAS an issue has arisen in regards to Sonoma Cheese Factory, LLC's understanding of the dismissal of the actions pending before the United States Trademark and Patent Office which is part of the written settlement agreement;

WHEREAS Judge Brazil retained jurisdiction to resolve any issues arising out of finalizing the written settlement agreement;

WHEREAS the parties are attempting to resolve this issue without requiring Judge Brazil's intervention;

WHEREAS the parties believe they will be able to resolve this outstanding issue without judicial intervention within the next seven (7) days;

WHEREAS the parties believe that settlement will be finalized and a dismissal of the action filed on or before July 24, 2008.

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The parties, therefore, respectfully request that the Case Management Conference currently scheduled for July 11, 2008 at 1:30 p.m. be continued to July 25, 2008, or a date at the convenience of the Court.

IT IS SO STIPULATED:

Dated: July 7, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

By: s/Elise R. Vasquez

MICHAEL J. IOANNOU  
ELISE R VASQUEZ  
Attorneys for Defendant  
SONOMA CHEESE FACTORY, LLC

Dated: July 7, 2008

LAW OFFICES OF CURTIS J. MORRIS

By: s/Curt J. Morris

CURTIS J. MORRIS  
Attorneys for Defendants and Counterclaimants  
SONOMA CHEESE FACTORY, LLC, PETE  
VIVIANI, MARIA VIVIANI and SALLY GRIES

Dated: July 7, 2008

SHAPIRO BUCHMAN PROVINE & PATTON, LLP

By: s/Robert W. Shapiro

ROBERT W. SHAPIRO  
Attorneys for Plaintiff and Counterdefendant  
SONOMA FOODS, INC.

### **ORDER**

Just cause having been found, this Court hereby grants a continuance for the Case Management Conference currently scheduled for Friday, July 11, 2008 at 1:30 p.m. ~~to July 25, 2008 at 1:30 p.m. or the following date for the convenience of the Court~~ August 22, 2008 at 1:30 p.m.

Dated: July 7, 2008

  
HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT JUDGE